



Signed and Filed: February 13, 2023

A handwritten signature in black ink, appearing to read "Hannah L. Blumenstiel", is written over a horizontal line.

HANNAH L. BLUMENSTIEL
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re:)	Case No. 22-30405 HLB
)	
THAI MING CHIU,)	Chapter 13
)	
Debtor.)	
)	
SIMON THAI MING CHIU,)	
)	Adv. Proc. No. 22-3114 HLB
Plaintiff,)	
v.)	
)	
CHARLES LI,)	
)	
Defendant.)	
)	
)	

**ORDER STRIKING PLAINTIFF'S UNAUTHORIZED BRIEF AND DENYING
PLAINTIFF'S REQUEST TO FILE A SUPPLEMENTAL BRIEF**

This proceeding is scheduled to come before the court on February 16, 2023 for a hearing on Defendant Charles Li's motion to dismiss,¹ which drew opposition from Plaintiff/Debtor Thai Ming Chiu.²

On February 8, 2023, the court issued a Tentative Ruling³ explaining its inclination to grant the Motion and dismiss this

¹ Dkt. 9 (the "Motion").

² Dkt. 11.

³ Dkt. 12 (the "Tentative Ruling").

1 action with prejudice. The Tentative Ruling required the parties
2 to advise the court whether they accepted the Tentative Ruling.
3 Defendant's counsel has advised that their client accepts;
4 Plaintiff's counsel has advised that their client would like to
5 argue the Motion.

6 The Tentative Ruling also stated: "Absent prior leave of
7 court, the parties may not file any supplemental pleadings.
8 Unauthorized pleadings will be stricken." Notwithstanding this
9 admonition, Plaintiff has filed an "Opposition to Tentative Order
10 and Request to File Supplemental Brief."⁴ The Unauthorized Brief
11 presents lengthy additional arguments in response to the
12 Tentative Ruling. Plaintiff appears to believe that, by titling
13 the Unauthorized Brief as an "Opposition" to the Tentative
14 Ruling, he can circumvent the express terms of the Tentative
15 Ruling. This court will not tolerate such shenanigans.

16 Accordingly, the court **ORDERS** as follows:

17 **1.** The Unauthorized Brief is hereby **STRICKEN**;

18 **2.** Plaintiff's request to file a supplemental brief is
19 hereby **DENIED; and**

20 **3.** Further violations of this court's orders will result
21 in the imposition of sanctions.

22
23 ****END OF ORDER****
24
25
26
27

28

⁴ Dkt. 14 (the "Unauthorized Brief").

Court Service List

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